

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

Case No. 03-C-1427

HEARTLAND ADVISORS, INC., et al.,

Defendants.

**DEFENDANT JILAINE H. BAUER'S MOTION FOR SUMMARY
JUDGMENT**

Defendant Jilaine H. Bauer, by her attorneys Reinhart Boerner Van Deuren s.c., respectfully moves the Court pursuant to Rule 56 of the Federal Rules of Civil Procedure and Civil Local Rule 56.2 for an order granting summary judgment in its favor and against Plaintiff Securities and Exchange Commission (the "Commission") dismissing the insider trading claim brought against her under Section 10(b) of the Securities Exchange Act and Rule 10b-5 thereunder, in the Commission's First Amended Complaint against her, on the merits with prejudice.

The grounds for this motion are set forth in Defendant Jilaine H. Bauer's Proposed Findings Of Fact In Support Of Motion For Summary Judgment, Defendant Jilaine H. Bauer's Memorandum In Support Of Motion For Summary Judgment, Exhibits To Defendant Jilaine H. Bauer's Proposed Findings Of Fact In Support Of Motion For Summary Judgment (including the supporting Declaration

of Jiliane H. Bauer In Support Of Motion For Summary Judgment), which are all filed herewith, and the pleadings and court filings in this action.

Accordingly, Ms. Bauer requests that the insider trading claim against her in the First Amended Complaint be dismissed on the merits with prejudice, and requests such further relief as the Court deems just and appropriate.

Dated at Milwaukee, Wisconsin, this 3rd day of May, 2008.

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